IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.447 OF 2006

IN

SUMMARY SUIT NO.2104 OF 2004

M/s.In & Out Publicity. ...Plaintiff.

vs.

M/s.Akai Consumer Electronics India Ltd. ...Defendant.

Mr.S.M.Jain, for Plaintiff.

Mr.Yogendra Kanchan i/b. M/s.Firdosh & Co., for Defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 6th December, 2006.

P.C.:-

1. In the reply, the defendant has specifically stated that some of the invoices which are the subject matter of the suit are not received by them. The plaintiff has not filed any rejoinder nor time is sought for filing rejoinder nor there is any document produced showing that the invoices which are the subject matter of the suit are received by the defendant. The objection raised by the defendant has

substance. The defendant is entitled to leave to defend the suit. The summons for judgment is disposed of. The defendant is granted unconditional leave to defend the suit. Written statement to be filed within four weeks from today.